

87th Legislative Session – 2012

Committee: House Agriculture and Natural Resources

Thursday, February 02, 2012

P - Present
E - Excused
A - Absent

Roll Call

P Brunner
P Kloucek
P Kopp
P Olson (Betty)
P Schaefer
E Schrempp
P Scott
P Sigdestad
P Street
P Van Gerpen
P Verchio
P Hoffman, Vice-Chair
E Vanneman, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Representative Hoffman, Vice-Chair.

MOTION: TO APPROVE THE MINUTES OF TUESDAY, JANUARY 31, 2012

Moved by: Brunner
Second by: Kloucek
Action: Prevailed by voice vote.

HB 1117: provide for the taking of muskrats by shooting under certain conditions.

Presented by: Representative Dennis Feickert
Proponents: Representative H. Paul Dennert
Larry Lewis, Self, Hecla
Johnny Kerstiens, SD Farmers Union

Opponents: Dick Howard, SD Association of Towns and Townships
Emmett Keyser, Department of Game, Fish and Parks
Ray Maize, Self, Pierre

MOTION: DO PASS HB 1117

Moved by: Van Gerpen
Second by: Olson (Betty)
Action: Prevailed by roll call vote. (10-0-3-0)

Voting Yes: Brunner, Kloucek, Kopp, Olson (Betty), Schaefer, Scott, Street, Van Gerpen,
Verchio, Hoffman

Excused: Schrempp, Sigdestad, Vanneman

HB 1074: exempt certain counties from restrictions relating to the taking of muskrat.

Presented by: Representative Dennis Feickert
Proponents: Representative H. Paul Dennert

MOTION: TO TABLE HB 1074

Moved by: Verchio
Second by: Street
Action: Prevailed by roll call vote. (10-0-3-0)

Voting Yes: Brunner, Kloucek, Kopp, Olson (Betty), Schaefer, Scott, Street, Van Gerpen,
Verchio, Hoffman

Excused: Schrempp, Sigdestad, Vanneman

HB 1176: authorize certain party hunting methods and practices pertaining to the
hunting of big game.

Presented by: Representative Mark Venner
Opponents: Tony Leif, Department of Game, Fish and Parks
Chris Hesla, SD Wildlife Federation
Dean Hyde, Self, Pierre
Robert Barden, SD Bow Hunters
John Simpson, Self, Pierre

MOTION: AMEND HB 1176

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On the printed bill, delete everything after the enacting clause and insert:

" Section 1. That chapter 41-6 be amended by adding thereto a NEW SECTION to read as follows:

The provisions of §§ 41-6-19, 41-6-19.1, 41-6-20, 41-6-27, 41-6-28, 41-8-6, 41-8-18, and any other provision of law notwithstanding, any person who holds a valid South Dakota hunting license for any big game species may designate any other hunter who possesses a valid South Dakota hunting license, for any game animal or game bird species, to kill a big game animal corresponding with the person's big game hunting license under the following conditions:

- (1) Both the person possessing and designating his or her big game license and the hunter being designated to possess and use the big game license shall be licensed to hunt in South Dakota;
- (2) A nonresident hunter who does not possess a South Dakota nonresident big game license may only kill a big game animal under this section if the big game license corresponding to the big game animal that is taken is held by a South Dakota resident who is a parent, grandparent, child, grandchild, or spouse of the nonresident."

Moved by: Brunner
Second by: Olson (Betty)
Action: Prevailed by voice vote.

MOTION: DEFER HB 1176 TO THE 41ST LEGISLATIVE DAY

Moved by: Brunner
Second by: Street
Action: Prevailed by roll call vote. (8-2-3-0)

Voting Yes: Brunner, Kopp, Schaefer, Scott, Sigdestad, Street, Verchio, Hoffman

Voting No: Olson (Betty), Van Gerpen

Excused: Kloucek, Schrempp, Vanneman

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HB 1100: revise the number of ownership acres necessary to qualify for certain big game hunting licenses to be used on a landowner's own property.

Presented by: Representative Bernie Hunhoff
Proponents: Jim Blankenfeld, Self, Irene (Handout: 1)
Opponents: Tony Leif, Department of Game, Fish and Parks
Chris Hesla, SD Wildlife Federation
Robert Barden, SD Bow Hunters
John Simpson, Self, Pierre

MOTION: DEFER HB 1100 TO THE 41ST LEGISLATIVE DAY

Moved by: Verchio
Second by: Schaefer
Action: Failed by roll call vote. (6-4-3-0)

Voting Yes: Brunner, Kopp, Schaefer, Scott, Verchio, Hoffman

Voting No: Olson (Betty), Sigdestad, Street, Van Gerpen

Excused: Kloucek, Schrempp, Vanneman

THE CHAIR DEFERRED HB 1100

THE CHAIR DEFERRED HB 1107

HB 1153: revise and clarify certain provisions relating to the revocation of fur dealer licenses.

Presented by: Representative Peggy Gibson

MOTION: DO PASS HB 1153

Moved by: Kopp
Second by: Street
Action: Prevailed by roll call vote. (10-0-3-0)

Voting Yes: Brunner, Kopp, Olson (Betty), Schaefer, Scott, Sigdestad, Street, Van Gerpen, Verchio, Hoffman

Excused: Kloucek, Schrempp, Vanneman

MOTION: PLACE HB 1153 ON CONSENT CALENDAR

Moved by: Brunner
Second by: Scott
Action: Prevailed by voice vote.

MOTION: ADJOURN

Moved by: Verchio
Second by: Schaefer
Action: Prevailed by voice vote.

Joshua Klumb
Committee Secretary

Charlie Hoffman, Vice-Chair

REVISED Committee Agenda

Committee: House Appropriations
Room: LCR2
Date: Thursday, February 2, 2012
Time: 8:00 AM

Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the Legislative Research Council (605-773-3251) 48 hours before convening to make any necessary arrangements.

HB 1017 **authorize the Bureau of Administration to construct a maintenance shop in Pierre, to make an appropriation therefor, and to declare an emergency.**

The Committee on Appropriations at the request of the Bureau of Administration

HB 1106 **restore funding for certain salary and expense reimbursement programs relating to veterans' service officers and to make an appropriation therefor.**

Representatives Hawley, Abdallah, Blake, Dennert, Fargen, Gibson, Jones, Kirschman, Kloucek, Lucas, Magstadt, Nelson (Stace), Olson (Betty), Scott, Sigdestad, Sly, Street, Stricherz, Verchio, White, and Wismer and Senators Frerichs, Begalka, Brown, Buhl, Johnston, Putnam, and Sutton

HB 1157 **repeal the Governor's authority to enter the Midwestern Regional Higher Education Compact on behalf of the state, to repeal the Midwestern Regional Higher Education Compact, to provide for withdrawal of South Dakota from the compact, and to declare an emergency.**

Representatives Abdallah, Blake, Boomgarden, Carson, Conzet, Deelstra, Feickert, Gibson, Hunt, Kirkeby, Kopp, Lucas, Schaefer, Scott, Solum, Street, Stricherz, Turbiville, Vanneman, White, and Wick and Senators Krebs, Juhnke, Maher, and Nelson (Tom)

HB 1161 **repeal the reduction in state aid to general education funding for any school district that receives proceeds from the Commission on Gaming.**

Representatives Romkema, Brunner, Magstadt, Turbiville, and Wink and Senators Nelson (Tom), Nygaard, and Rhoden

HB 1164 **appropriate money for the repair of state-owned dams managed by the Office of School and Public Lands and the Department of Game, Fish, and Parks.**

Representatives Wismer, Brunner, Dennert, Hawley, Hoffman, Schaefer, and Sigdestad and Senators Sutton, Frerichs, and Putnam

HB 1166 **require the departments of Agriculture and Game, Fish and Parks to provide certain actions and funding specified in the South Dakota black-tailed prairie dog conservation and management plan.**

Representatives Russell, Kopp, Olson (Betty), and Verchio and Senators Maher and Rampelberg

HB 1206 **make an appropriation for Feeding South Dakota and to repeal the sales tax on food refund program.**

Representatives Blake, Boomgarden, Brunner, Elliott, Fargen, Gibson, Greenfield,

Hickey, Hunhoff (Bernie), Jones, Kirschman, Lucas, Magstadt, Sly, Street, and Wismer and Senators Buhl, Adelstein, Bradford, Krebs, Maher, Peters, Sutton, and Tieszen

HB 1211 **revise budget transfer authority for certain state institutions.**
Representatives Perry, Hawley, Street, and Turbiville and Senator Tidemann

HB 1215 **provide funding grants to parents or guardians of students receiving alternative instruction, and to make an appropriation therefor.**
Representatives Liss, Hansen (Jon), Jensen, Olson (Betty), Venner, and Wick and Senator Lederman

BILLS FOR POSSIBLE ACTION WHICH HAVE HAD PRIOR HEARING.

HB 1051 **authorize the South Dakota Building Authority and the Board of Regents to implement the long-term capital project request of the Board of Regents providing for the demolition, construction, remodeling, or renovation of various structures on the campuses of the state's universities and to make appropriations therefor.**
The Committee on Appropriations at the request of the Board of Regents

DEAN WINK, Chair

Committee Agenda

Committee: House Health and Human Services
Room: 412
Date: Thursday, February 2, 2012
Time: 7:45 AM

Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the Legislative Research Council (605-773-3251) 48 hours before convening to make any necessary arrangements.

HB 1263 **provide for mandatory HIV testing for any person convicted of prostitution or solicitation of prostitution and to provide for appropriate utilization of the test results.**

Representatives Deelstra, Abdallah, Hansen (Jon), Jensen, Munsterman, Nelson (Stace), and Russell and Senators Peters, Cutler, Haverly, and Novstrup (Al)

HB 1260 **repeal the authority the director of the Division of Insurance has to promulgate rules governing use of genetic information and to enact certain provisions regarding the use of genetic information.**

Representatives Hubbel, Jensen, Magstadt, Nelson (Stace), Olson (Betty), Schaefer, and Venner and Senators Begalka and Maher

HB 1150 **prohibit false advertising by limited services pregnancy centers and to provide for judicial relief.**

Representatives Gibson, Blake, Elliott, Fargen, Sigdestad, Street, and Wismer and Senators Buhl and Peters

BILLS FOR POSSIBLE ACTION WHICH HAVE HAD PRIOR HEARING.

JAMIE BOOMGARDEN, Chair

87th Legislative Session – 2012

Committee: House Local Government

Thursday, February 02, 2012

P - Present
E - Excused
A - Absent

Roll Call

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Chairman Kirkeby.

MOTION: TO APPROVE THE MINUTES OF JANUARY 31, 2012

Moved by: Venner
Second by: Olson (Betty)
Action: Prevailed by voice vote.

HB 1162: revise certain provisions relating to the platting and annexation of subdivisions.

Proponents: Yvonne Taylor, SD Municipal League
Bob Wilcox, SD Association of County Commissioners

MOTION: DO PASS HB 1162

Moved by: Rausch
Second by: Munsterman
Action: Prevailed by roll call vote. (11-0-2-0)

Voting Yes: Feickert, Kloucek, Magstadt, Munsterman, Nelson (Stace), Olson (Betty), Rausch, Tornow, Tulson, Venner, Kirkeby

Excused: Schrempp, Cronin

HB 1131: revise certain provisions relating to the posting of public notice for meetings of public bodies.

Presented by: Representative Burt Tulson
Proponents: David Bordewyk, SD Newspaper Association

MOTION: DO PASS HB 1131

Moved by: Kloucek
Second by: Nelson (Stace)
Action: Prevailed by roll call vote. (10-1-2-0)

Voting Yes: Feickert, Kloucek, Magstadt, Munsterman, Nelson (Stace), Olson (Betty), Rausch, Tulson, Venner, Kirkeby

Voting No: Tornow

Excused: Schrempp, Cronin

HB 1172: exempt certain developer-installed storm sewer detention ponds from public procurement bid requirements.

Presented by: Representative Scott Munsterman
Proponents: Yvonne Taylor, SD Municipal League

MOTION: DO PASS HB 1172

Moved by: Venner
Second by: Nelson (Stace)
Action: Prevailed by roll call vote. (10-2-1-0)

Voting Yes: Feickert, Magstadt, Munsterman, Nelson (Stace), Olson (Betty), Rausch, Tulson, Venner, Cronin, Kirkeby

Voting No: Kloucek, Tornow

Excused: Schrempp

HB 1178: revise certain provisions relating to the disposal of local government property.

Presented by: Representative Melissa Magstadt
Proponents: Yvonne Taylor, SD Municipal League

MOTION: DO PASS HB 1178

Moved by: Nelson (Stace)

Second by: Cronin

Action: Prevailed by roll call vote. (12-0-1-0)

Voting Yes: Feickert, Kloucek, Schrempp, Magstadt, Nelson (Stace), Olson (Betty), Rausch, Tornow, Tulson, Venner, Cronin, Kirkeby

Excused: Munsterman

MOTION: PLACE HB 1178 ON CONSENT CALENDAR

Moved by: Olson (Betty)

Second by: Nelson (Stace)

Action: Prevailed by voice vote.

THE CHAIR DEFERRED HB 1179 UNTIL ANOTHER DAY

HB 1066: allow for the cremation of deceased persons who are indigent and the funeral expenses are the financial responsibility of the county.

Presented by: Representative Bob Deelstra

Proponents: Carol Mueller, Self, Sioux Falls
Cindy Heiberger, Minnehaha County, Sioux Falls

THE CHAIR DEFERRED HB 1066 UNTIL ANOTHER DAY

MOTION: ADJOURN

Moved by: Kirkeby

Second by: Nelson (Stace)

Action: Prevailed by voice vote.

Jeanette Black
Committee Secretary

Mark Kirkeby, Chair

Committee Agenda

Committee: House Taxation
Room: 414
Date: Thursday, February 2, 2012
Time: 7:45 AM

Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the Legislative Research Council (605-773-3251) 48 hours before convening to make any necessary arrangements.

- HB 1146 **increase the personal property and annuity payments exempt from process, levy, or sale.**
Representatives Hickey, Abdallah, Feinstein, Gosch, and Hunt and Senators Cutler, Nygaard, and Rhoden
- HB 1159 **exempt certain postage and markup for handling from sales and use taxes.**
Representative Tornow
- HB 1207 **exempt wind farms and other energy facilities from taxation if located on an Indian reservation on land held in trust by the United States.**
Representatives Lucas and Killer and Senator Bradford
- HB 1223 **exempt from sales tax certain handling fees paid by religious organizations to approved relief agencies for the distribution of food which is provided for the assistance or relief of the poor, distressed, or underprivileged through food giveaway programs.**
Representatives Steele, Blake, Bolin, Deelstra, Feinstein, Haggar, Hansen (Jon), Hickey, Hoffman, Hubbel, Hunt, Jensen, Kirschman, Kopp, Miller, Nelson (Stace), Olson (Betty), Tornow, Vanneman, and Wick and Senators Schlekeway, Brown, Cutler, Heineman, Johnston, Krebs, Lederman, Novstrup (Al), Olson (Russell), Peters, and Rave
- HB 1256 **repeal the contractor's excise tax.**
Representatives Kloucek, Feickert, Schaefer, Schrempp, and Sigdestad and Senators Hundstad and Frerichs
- HB 1258 **clarify certain statutes prohibiting political subdivisions from restricting firearms.**
Representatives Russell, Hubbel, Jensen, Kopp, Liss, and Nelson (Stace) and Senators Begalka, Lederman, Maher, and Sutton

Committee Agenda

Committee: House Transportation
Room: 413
Date: Thursday, February 2, 2012
Time: 10:00 AM

Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the Legislative Research Council (605-773-3251) 48 hours before convening to make any necessary arrangements.

HB 1257 **provide for the disposal of the Napa Junction to Platte segment of the state-owned rail system.**

Representative Kloucek at the request of the Constituents

HB 1274 **revise the distance within which a school district may charge a fee for providing bus transportation to students.**

Representative Hansen (Jon)

SB 16 **define a final stage manufacturer dealer and to provide for licensing of final stage manufacturer dealers.**

The Committee on Transportation at the request of the Department of Revenue

SB 17 **require certain fuel tax returns and reports to be filed by electronic means and to require certain fuel taxes to be remitted by electronic transfer.**

The Committee on Transportation at the request of the Department of Revenue

SB 63 **revise the term of service of regional railroad authority commissioners.**

Senator Lederman and Representative Elliott

SB 64 **revise provisions regulating the perfection of security interest liens filed on-line.**

Senators Fryslie, Cutler, Gray, and Nelson (Tom) and Representatives Street, Novstrup (David), Solum, and Verchio

BILLS FOR POSSIBLE ACTION WHICH HAVE HAD PRIOR HEARING.

MIKE VERCHIO, Chair